

By: Shaheen

H.B. No. 934

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of the offense of trafficking of persons.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 20A.02(a), Penal Code, is amended to read as follows:

(a) A person commits an offense if the person [~~knowingly~~]:

(1) knowingly traffics another person with the intent that the trafficked person engage in forced labor or services;

(2) knowingly receives a benefit from participating in a venture that involves an activity described by Subdivision (1), including by receiving labor or services the person knows are forced labor or services;

(3) knowingly traffics another person and, through force, fraud, or coercion, causes the trafficked person to engage in conduct prohibited by:

(A) Section 43.02 (Prostitution);

(B) Section 43.03 (Promotion of Prostitution);

(C) Section 43.04 (Aggravated Promotion of Prostitution); or

(D) Section 43.05 (Compelling Prostitution);

(4) engages in sexual conduct with a person trafficked in the manner described by Subdivision (3), regardless of whether the actor knows that the person has been trafficked in the manner

1 described by that subdivision, or knowingly receives a benefit from  
2 participating in a venture that involves an activity described by  
3 Subdivision (3) ~~[or engages in sexual conduct with a person~~  
4 ~~trafficked in the manner described in Subdivision (3)]~~;

5 (5) knowingly traffics a child with the intent that  
6 the trafficked child engage in forced labor or services;

7 (6) knowingly receives a benefit from participating  
8 in a venture that involves an activity described by Subdivision  
9 (5), including by receiving labor or services the person knows are  
10 forced labor or services;

11 (7) knowingly traffics a child and by any means causes  
12 the trafficked child to engage in, or become the victim of, conduct  
13 prohibited by:

14 (A) Section 21.02 (Continuous Sexual Abuse of  
15 Young Child or Children);

16 (B) Section 21.11 (Indecency with a Child);

17 (C) Section 22.011 (Sexual Assault);

18 (D) Section 22.021 (Aggravated Sexual Assault);

19 (E) Section 43.02 (Prostitution);

20 (F) Section 43.03 (Promotion of Prostitution);

21 (G) Section 43.04 (Aggravated Promotion of  
22 Prostitution);

23 (H) Section 43.05 (Compelling Prostitution);

24 (I) Section 43.25 (Sexual Performance by a  
25 Child);

26 (J) Section 43.251 (Employment Harmful to  
27 Children); or

(K) Section 43.26 (Possession or Promotion of Child Pornography); or

(8) engages in sexual conduct with a child trafficked in the manner described by Subdivision (7), regardless of whether the actor knows that the child has been trafficked in the manner described by that subdivision, or knowingly receives a benefit from participating in a venture that involves an activity described by Subdivision (7) [~~or engages in sexual conduct with a child trafficked in the manner described in Subdivision (7)]~~].

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 3. This Act takes effect September 1, 2019.